

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
:
MARC PIERRE,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
-----x

4/4/14
REPORT & RECOMMENDATION

13 Civ. 3436 (GBD) (MHD)

TO THE HONORABLE GEORGE B. DANIELS,
UNITED STATES DISTRICT JUDGE:

Defendants have moved to dismiss the pro se complaint for failure to prosecute. In view of plaintiff's failure to respond to defendants' written discovery requests, his failure to comply with the court's subsequent February 4, 2014 order that he provide responses to those requests, and his failure to respond to defendants' current motion to dismiss, we recommend that the motion be granted.

Pursuant to Rule 72 of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from this date to file written objections to this Report and Recommendation. Such objections shall be filed with the Clerk of the Court and served

on all adversaries, with extra copies to be delivered to the chambers of the Honorable George B. Daniels, Room 1310, and to the chambers of the undersigned, Room 1670, 500 Pearl Street, New York, New York 10007. Failure to file timely objections may constitute a waiver of those objections both in the District Court and on later appeal to the United States Court of Appeals. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72, 6(a), 6(e); Thomas v. Arn, 470 U.S. 140, 150-52 (1985); DeLeon v. Strack, 234 F.3d 84, 86 (2d Cir. 2000) (citing Small v. Sec'y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989)).

**Dated: New York, New York
April 4, 2014**

RESPECTFULLY SUBMITTED,



**MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE**

Copies of the foregoing Order have been sent today by fax to:

Alison G. Moe, Esq.
New York City Law Department
Fax: (212) 788-9776

And by U.S. mail to:

Mr. Marc Pierre
316 West 97th Street
Apt. 44C
New York, NY 10025